

R. ERIC HUTZ (#2702)
CONNOLLY BOVE LODGE & HUTZ, LLP
Attorneys for Plaintiff
The Nemours Building
1007 N. Orange Street
Wilmington, DE 19899
Phone (302) 658-9141

LARRY R. LAYCOCK (*pro hac vice*)
CHAD E. NYDEGGER (*pro hac vice*)
WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111
Telephone: (801) 533-9800

Attorneys for Plaintiff
SUN OPTICS, INC.

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

SUN OPTICS, INC., a Utah Corporation,
Plaintiff,

v.

FGX INTERNATIONAL, INC., a Delaware
Corporation,
Defendant.

Civil Action No. 1:07cv137-SLR

DECLARATION OF BRUCE RAILE

Bruce Raile, declarant herein, declares as follows:

1. I am a citizen of the United States, am over the age of 21, and am competent to testify to the matters set forth herein.
2. I am the President, CEO, and co-founder of Sun Optics, Inc., Plaintiff in the above-captioned matter.
3. Sun Optics sells its patented products to the optical market through distributors and retailers.

4. Sun Optics has learned that three of its distributors of its patented products, Pech Optical, Kasperek Optical, and Central Optical, are now carrying FGX's accused products.

5. Central Optical no longer carries Sun Optics's patented products because it carries FGX's accused products instead.

I have read the foregoing declaration and declare under penalties of perjury that the contents thereof are true and correct of my own personal knowledge.

Dated this 25th day of July, 2007.



BRUCE RAILE

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

SUN OPTICS, INC.
a Utah Corporation,

Plaintiff,

v.

FGX INTERNATIONAL, INC.,
a Delaware Corporation,

Defendant.

Civil Action No.07-137 (SLR)

CERTIFICATE OF SERVICE

I, Francis DiGiovanni, hereby certify that on July 26, 2007, I caused to be electronically filed a true and correct copy of the foregoing with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Donald J. Detweiler, Esquire
Sandra G. M. Selzer, Esquire
GREENBERG TRAURIG, LLP
The Nemours Building
1007 North Orange Street, Suite 1200
Wilmington, DE 19801
Attorney for Defendant
FGX International Inc.

I further certify that on July 26, 2007, I caused a copy of the foregoing to be served by hand delivery on the above-listed counsel of record and the following counsel in the manner indicated:

FEDERAL EXPRESS

Adam B. Landa, Esquire
GREENBERG TRAURIG, LLP
200 Park Avenue
New York, NY 10166

FEDERAL EXPRESS

Steven J. Wadyka, Jr., Esquire
GREENBERG TRAURIG, LLP
1750 Tysons Boulevard, 12th Floor
McLean, VA 22102

/s/ Francis DiGiovanni (#3189)

Francis DiGiovanni (#3189)